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Assistant Commissioner for Patents  
Washington, D.C. 20231

On April 15, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Maisie C. Livengood  
Maisie C. Livengood

PATENT  
Attorney Docket No.: 020552-003723US  
Client Ref. No.: 1018D

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APR 24 2003

TECH CENTER 1600/2900

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Vaisberg, et al.

Application No.: 10/002,712

Filed: November 1, 2001

For: HIGH THROUGHPUT  
SARCOMERIC ASSAY

Examiner:

Art Unit: 1623

DECLARATION UNDER 37 C.F.R.  
§1.48(c)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

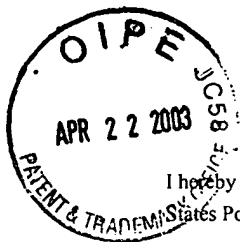
I, Eugeni A. Vaisberg, state that it was through error without deceptive intent that I was not named as an inventor in the above-referenced patent application.

I agree to the correction of inventorship currently requested by the assignees of the above-referenced patent to include myself, Eugeni A. Vaisberg, as a joint inventor.

Dated: 04-01-03

By Eugeni A. Vaisberg  
Eugeni A. Vaisberg

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
SLA:mcl  
DE 7098956 v1



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Examiner:

Art Unit: 1623

DECLARATION UNDER 37 C.F.R.  
§1.48(c)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, James A. Spudich, state that it was through error without deceptive intent that I was not named as an inventor in the above-referenced patent application.

I agree to the correction of inventorship currently requested by the assignees of the above-referenced patent to include myself, James A. Spudich, as a joint inventor.

Dated: 4-3-03

By: James A. Spudich  
James A. Spudich

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
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TOWNSEND and TOWNSEND and CREW LLP

By: Maisie C. Livengood  
Maisie C. Livengood

PATENT  
Attorney Docket No.: 020552-003723US  
Client Ref. No.: 1018D

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Vaisberg, et al.

Application No.: 10/002,712

Filed: November 1, 2001

For: HIGH THROUGHPUT  
SARCOMERIC ASSAY

Examiner:

Art Unit: 1623

CONSENT OF ASSIGNEE FOR  
CORRECTION OF INVENTORSHIP  
UNDER 37 C.F.R. § 1.48(c)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

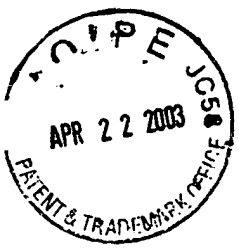
The assignee of the above-identified patent application, Cytokinetics, Inc., consents to amending the subject application to add Eugeni A. Vaisberg and James A. Spudich as joint inventors.

In accordance with 37 C.F.R. §3.73(b), a certificate of assignment is enclosed to establish ownership of U.S. Patent Application No. 09/539,164 by Cytokinetics, Inc., of which the above-identified application is a continuation.

CYTOKINETICS, INC.

Date 4/9/03

By [Signature]  
Name SVP, Finance & Corporate Development & CFO  
Title Robert Blum

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Attorney Docket No.: 020552-003723US

Client Reference No.: 1018D

**TECH CENTER 1600/2900****DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **HIGH THROUGHPUT SARCOMERIC ASSAY** the specification of which \_\_\_\_ is attached hereto or **X** was filed on November 1, 2001 as Application No. 10/002,712 and was amended on November 1, 2001.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
09/539,164	March 29, 2000

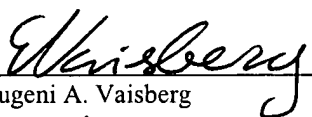
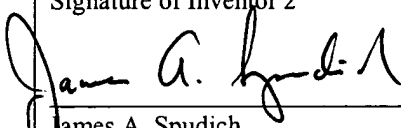

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Last Name: <b>VAISBERG</b>	First Name: <b>EUGENI</b>	Middle Name or Initial: <b>A.</b>	
Residence & Citizenship:	City: <b>Foster City</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>647 Pegasus Lane</b>	City: <b>Foster City</b>	State/Country: <b>California</b>	Postal Code: <b>94404</b>
Full Name of Inventor 2:	Last Name: <b>SPUDICH</b>	First Name: <b>JAMES</b>	Middle Name or Initial: <b>A.</b>	
Residence & Citizenship:	City: <b>Palo Alto</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>3035 Country Club Drive</b>	City: <b>Palo Alto</b>	State/Country: <b>California</b>	Postal Code: <b>94304</b>

Full Name of Inventor 3:	Last Name: <b>HARTMAN</b>	First Name: <b>JAMES</b>	Middle Name or Initial: <b>J.</b>	
Residence & Citizenship:	City: <b>San Francisco</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>3 Gaiser Court</b>	City: <b>San Francisco</b>	State/Country: <b>California</b>	Postal Code: <b>94110</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Eugeni A. Vaisberg Date <b>04-01-03</b>	Signature of Inventor 2  James A. Spudich Date <b>4-3-03</b>	Signature of Inventor 3  James J. Hartman Date <b>04-01-03</b>
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